

# DESOTO COUNTY BOARD OF SUPERVISORS

## BOARD MEETING MINUTES

**TOMMY LEWIS, PRESIDENT 2001, PRESIDING**

**December 12, 2001**

### **A. CALL TO ORDER**

The December 12, 2001, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, Board President.

Captain John Magness of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1  
Supervisor Eugene C. Thach-----District 2  
Supervisor Gerald Clifton-----District 3  
Supervisor John Caldwell-----District 4  
Supervisor Tommy Lewis-----District 5  
W. E. Sluggo Davis-----Chancery Clerk  
James Albert Riley -----Sheriff  
David Armstrong-----County Administrator  
Tony Nowak -----Board Attorney

### **B. INVOCATION**

Supervisor Eugene Thach presented the invocation.

### **C. OLD BUSINESS**

### **D. NEW BUISINESS**

#### **1. Bids Under Advisement – Bridgetown Fire Truck**

Vanessa Lynchard, Director of Administrative Services, said there were some issues with the bids received for the Bridgetown Fire Department truck and Bobby Storey, Director of Fire and EMS has requested that these bids be taken under advisement.

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion, at the recommendation of the Director of Fire and EMS Bobby Storey, to take the bids for the Bridgetown Fire Truck under advisement. The motion passed by a unanimous vote. **\*\*See Exhibit D.1\*\***

#### **2. Making Secretary of State's Approval of Interlocal Agreement Part of the Minutes – Metro Narcotics**

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to accept the Secretary of State's Approval of the Interlocal Agreement with the DeSoto County Metro Narcotics Unit and making it a part of the Board minutes. The motion passed by a unanimous vote. **\*\*See Exhibit D.2\*\***

## **ITEM D, CONTINUED,**

### **3. Metro Narcotics – Approval of Analog Cellular Contract ( for Surveillance Equipment)**

County Administrator David Armstrong said Metro Narcotics requires an analog cellular phone to work with the surveillance equipment that they use. They have the money in their budget to pay for the phone. They are asking the Board's approval to purchase the analog phone service.

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve the purchase of a analog cellular phone for Metro Narcotic to be used with the surveillance equipment. The motion passed by a unanimous vote. **\*\*See Exhibit D.3\*\***

### **4. Nesbit Fire Department – Approval of Round 5 Fire Truck Acquisition**

Bobby Storey, the Director of Fire and EMS, appeared before the Board of Supervisors for approval of Round 5 Fire Truck acquisition for the Nesbit Fire Department. Mr. Storey said the County had submitted paperwork to the State for the money to purchase the Nesbit Fire Truck, but the State had moved offices and could not locate the paperwork that had been submitted. Mr. Storey requested approval of the Board of Supervisors to resubmit the paperwork by Fed Ex this date. Mr. Storey said the State advised they could have the check back to the County within ten days, if they received the paperwork this week.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize the Board President to sign paperwork necessary to submit to the State for the purchase of the Nesbit Fire Truck. The motion passed by a unanimous vote. **\*\*See Exhibit D.4\*\***

### **5. Chancery Clerk Allowances**

On this date, the County Administrator, David Armstrong presented on behalf of the Chancery Court Clerk, W. E. Davis, an order of Allowances to the Board of Supervisors for the December 2001 term in the amount of \$1,346.66. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve these payments, pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The motion passed by a unanimous vote. **\*\*See Exhibit D.5\*\***

### **6. Jail Inspection**

The Board does hereby find that, pursuant to Section 19-5-1 of the Mississippi Code Annotated, that periodic examinations into the state and condition of the DeSoto County Jail, in regards to its safety, sufficiency and accommodation of the prisoners is required. Pursuant to Section 19-5-1 the Board of Supervisors, or a competent person authorized by the Board of Supervisors, shall examine the jail for said compliance. The DeSoto County Board of Supervisors has a policy of attempting to inspect the DeSoto County Jail on a monthly basis and a requirement that the DeSoto County Jail be inspected as often as is mandated by Mississippi statute, State and/or Federal law. By direction of the DeSoto County Board of Supervisors, the following persons were directed pursuant to Section 19-5-1 to perform the required examination into the state and condition of the jail and to report back to the DeSoto County Board of Supervisors:

1. Supervisor John Caldwell

The DeSoto County Board of Supervisors does hereby find that the above named committee has reported back to the DeSoto County Board of Supervisors. That he has examined the DeSoto County Jail regarding its state and condition in regard to its safety, sufficiency and accommodation of the prisoners, and does find the jail to be in compliance and requiring no further legal action at this time.

## **ITEM D.6, CONTINUED,**

The Board of Supervisors discussed the inspection of the Jail on December 3<sup>RD</sup>. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the observed condition of the jail and to state there was no overcrowding of the Jail and do find the Jail to be in compliance and requiring no further legal action at this time. The motion passed by a unanimous vote. **\*\*See Exhibit D.6\*\***

## **7. Approval of Travel**

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of December 3, 2001, to January 7, 2002, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling.

Supervisor Eugene Thach made a motion and Supervisor Gerald Clifton seconded the motion to authorize DeSoto County employees travel during the period of December 3, 2001 to January 7, 2002, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. The motion passed by unanimous vote.

## **8. Approval for the Publication of Board Proceedings**

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve the publication of Board Proceedings in accordance with Section 19-3-33 of the Mississippi Code, which states that the Board of Supervisors may have its proceedings published in some newspaper published in the county, and cause the same to be paid for out of the county treasury. The motion passed by a unanimous vote.

## **9. Emergency Proclamation**

T. H. Walker, Director of DeSoto County Emergency Management, introduced Doug Mattox and Tom Beckham from FEMA.

Mr. Mattox said they had been in DeSoto County to visit the homeowners that were in the windstorm and flood damaged areas. Mr. Mattox said they had printed up flyers for the County to give to the community that has phone numbers and it lists the required information needed to file a claim with FEMA for assistance. Mr. Mattox said the fliers were printed in English and Spanish due to the large number of residents in DeSoto County who speak Spanish. Mr. Mattox said help was there for the homeowners as well as the business owners. The SBA is working with FEMA to process claims. The loss of business income and damage to the property would be eligible for claim to the SBA. Mr. Mattox said a death occurred in Horn Lake due to the flooded area. They are trying to locate the family to help with the funeral expense if necessary. Mr. Mattox said the Department of Agriculture would handle the land areas that were damaged by the flood and windstorm. All claims for property damage, other than homes, would go to the Department of Agriculture.

Supervisor Eugene Thach asked if FEMA would be working out of the DeSoto County EMA office. Mr. Walker said yes. Supervisor Gerald Clifton asked if a homeowner has no insurance, would FEMA assist them. Mr. Mattox said if the applicant files with the income level required, FEMA would pick up the tab up to \$14,400, which would be a direct grant and not have to be paid back. If they have assets that don't allow them to qualify for the grant, they can apply for the loans, which have to be paid back over several years.

Supervisor Tommy Lewis asked how this relates to mobile homes. Mr. Mattox said they could receive minimum amount to get something to live in. Supervisor Clifton asked how long it takes to get the money to the people. Mr. Mattox said the inspectors visit the area and send the information direct to Denton, Texas and they can have the money to the

**ITEM D.9, CONTINUED,**

people within ten days.

County Administrator David Armstrong said the Board of Supervisors is considering an outdoor warning system and asked if there was any money available from FEMA to assist the County with this project. Mr. Mattox said the Federal Government sends 15% of total cost of disaster to the State and the Counties have to apply to the State for funds.

Supervisor Eugene Thach said that the Board was here today to extend the Declaration of Emergency for DeSoto County and asked what were the Federal guidelines for the disaster. Mr. Mattox said that normally FEMA sets the time frame for 90 days from the date of the declaration. If they feel that they don't have all the applicants in, they can extend the declaration.

Supervisor John Caldwell said the County has to extend the County declaration so they can use equipment to help clean up private property. Mr. Mattox said the County should be able to capture this cost of expense if the County applies for a refund.

Mr. Walker said there was a team in the County on an appeal for public assistance from MEMA.

Bobby Storey, Director of Fire and EMS, asked how bills for ambulance calls should be applied to victims of the emergency declaration. Mr. Mattox said the bills should be sent to the individuals and they should send it in with claims for expenses for medical, food, and living expenses. This money would then be paid in total by the grant money so they could pay the medical and other expenses. Board Attorney Bobby Chamberlin suggested that Bobby Storey send the ambulance bills along with the FEMA flyer to all persons for ambulance calls related to the emergency.

Mr. Mattox said FEMA would handle all calls from the flier and then refer the claims to the appropriate department to handle.

Mr. Walker informed the Board that the SBA would be in DeSoto County on Friday, December 14, 2001, at the Hernando City Hall to have checks for presentation to some of the victims of the emergency.

Mr. Mattox commended the DeSoto County EMA Department and the Board of Supervisors for all the help they have given the FEMA staff.

**a. Approval to Renew Emergency Declaration**

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to authorize extension of the Emergency Declaration for the next seven days, which would expire on December 19, 2001. The motion passed by a unanimous vote.

**b. Approval to Lease Equipment for Clean Up**

Supervisor Jessie Medlin said the Board of Supervisors should grant authority to the Interim Road Manager to lease equipment necessary for the clean up of the County. Supervisor Medlin said he had spoken with Billbo Williams, Interim Road Manager, and he expected to be through with the clean up in the County areas within the next two days. Supervisor John Caldwell said if the weather permitted the County might want to authorize overtime for Central Maintenance to get the job completed.

Supervisor Eugene Thach said any heavy equipment the County needs that has to be used for clean up, which an individual can't handle, and this is for yards and driveways on property.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the

**ITEM D.9.b, CONTINUED,**

motion to authorize the Interim Road Manager to lease equipment necessary during the duration of the Declaration of Emergency for the clean up in the emergency areas of the County. The motion passed by a unanimous vote.

#### **10. Beaver Control Program Renewal through State of MS**

Jothie Gee appeared before the Board of Supervisor to solicit their help with the State Legislature to appeal to the State Officials regarding the plans to discontinue the Beaver Control Program in the State. Mr. Gee said the State budgets \$500,000 and the Counties put in \$2,000 each for the program and there are 64 Counties in the program.

Mr. Gee said he has worked DeSoto County that has beaver problems, at these roadways:

Starlanding Road  
College Road  
Austin Road  
Stateline Road  
Sanders Road  
Penton Road

Mr. Gee said if these areas had not been cleared of beavers, the recent floods would have done damage to more County roadways. Mr. Gee stated the program would be shut down if the State ceases funding for the program.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve sending a letter to the Legislature requesting the Beaver Control Program for the State to remain. The motion passed by a unanimous vote.

#### **11. Approval to Add Guard Rail at Church and Elmore**

Supervisor Eugene Thach said the road on the east side of Elmore at Church Road needs to have a guardrail installed. County Administrator David Armstrong said he had spoken with Mayor Greg Davis and he has requested the County to pay for one half the cost of the guardrail installation. Supervisor Thach said in his conversations with Mayor Davis, he wants the County to get the guardrail.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to have the Interim Road Manager to get a price on the cost of installing the guardrail to the East Side of Elmore Road at Church Road. The motion passed by a unanimous vote.

#### **E. EXECUTIVE SESSION**

The executive session portions of these minutes are recorded under the portion of the minutes called "Executive Session".

#### **F. OTHER ISSUES**

##### **1. Starlanding Railroad Crossing**

Supervisor John Caldwell said he had spoken with Carl Ray Furr, of Engineering Associates, about the railroad crossing on Starlanding Road. Supervisor Caldwell said if the County extends Starlanding Road under the railroad underpass the Railroad officials want the County to fix one mile south and one mile north of the railroad tracks, which drives up the cost of repair. Supervisor Caldwell said if the road was built over the railroad the road would be 20 ft high. Supervisor Caldwell said he had asked Mr. Furr to see if a compromise with the Railroad so that the railroad crossing at Nail Road could be built and the Railroad could do an at grade crossing on Starlanding, is possible.

#### **ITEM F.1, CONTINUED,**

Supervisor Gerald Clifton said the railroad crossing on Church Road needs to be addressed also. Supervisor Caldwell said there would be three lanes of road on Church for the railroad crossing. Supervisor Jessie Medlin said the money that was approved for the railroad was just \$2,000,000.

Supervisor Caldwell said the Nissan agreement with the State required two railroad tracks to the facility. This does not let the Railroad close down the railroad.

No motions or votes were taken on this item.

## **2. Roads – Craft North of Dunn Lane**

Billbo Williams, Interim Road Manager, asked the Board of Supervisors to see if the NRCS could work to stabilize the bank on Craft Road. Chancery Clerk Sluggo said that Wade Carter would be retiring from the Soil Conservation in January 2002.

Supervisor Tommy Lewis said the County could send a letter and ask for assistance. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to send a letter to the NRCS to see if any money was available for the bank stabilization on Craft Road. The motion passed by a unanimous vote.

## **3. Blue Ribbon Trip**

Chancery Clerk Sluggo Davis said he had met with Jim Flanagan of the DeSoto Council to discuss the Blue Ribbon Committee trip to Washington in February 2002. Mr. Davis said the County should send two Counsel Representatives to Washington. Mr. Davis said the Board should take Bill Austin, since he knows so many people and he would be able to introduce Tony Nowak around. Supervisor John Caldwell asked if the DeSoto Council was paying for the trip. County Administrator David Armstrong said he would talk with Jim Flanagan about the trip. Supervisor Eugene Thach said the money should come out of the Council funds and they could come back to the Board if they need more funds.

No motions or votes were taken on this item.

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion, to recess the meeting until December 17, 2001 at 9:00 am. The motion passed by a unanimous vote.

THIS the 12<sup>th</sup> day of December 2001, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Tommy Lewis, President  
DeSoto County Board of Supervisors